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PUBLIC MATTER



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THE STATE BAR COURT
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of) Case No. 08-H-10858
JOY R. BUZZARD,)
No. 182277,) NOTICE OF DISCIPLINARY CHARGES
A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE AN ANSWER TO THIS NOTICE WITHIN THE TIME ALLOWED BY STATE BAR RULES, INCLUDING EXTENSIONS, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL, (1) YOUR DEFAULT SHALL BE ENTERED, (2) YOU SHALL BE ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR AND WILL NOT BE PERMITTED TO PRACTICE LAW UNLESS THE DEFAULT IS SET ASIDE ON MOTION TIMELY MADE UNDER THE RULES OF PROCEDURE OF THE STATE BAR, (3) YOU SHALL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOUR DEFAULT IS SET ASIDE, AND (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.

STATE BAR RULES REQUIRE YOU TO FILE YOUR WRITTEN RESPONSE TO THIS NOTICE WITHIN TWENTY DAYS AFTER SERVICE.

IF YOUR DEFAULT IS ENTERED AND THE DISCIPLINE IMPOSED BY THE SUPREME COURT IN THIS PROCEEDING INCLUDES A PERIOD OF ACTUAL SUSPENSION, YOU WILL REMAIN SUSPENDED FROM THE PRACTICE OF LAW FOR AT LEAST THE PERIOD OF TIME SPECIFIED BY THE SUPREME COURT. IN ADDITION, THE ACTUAL SUSPENSION WILL CONTINUE UNTIL YOU HAVE REQUESTED, AND THE STATE

1 5. The November 30, 2006 State Bar Court order and reprobation conditions became final
2 on December 27, 2006, and at all times thereafter have remained in full force and effect. Soon
3 after November 30, 2006, respondent received actual notice of the State Bar Court order and
4 reprobation conditions.

5 6. On or about January 24, 2007, the Office of Probation mailed respondent a reminder
6 letter setting forth the conditions of the reprobation. Respondent received this letter shortly
7 thereafter.

8 **7. Duty to Contact/Meet with the Office of Probation.**

9 (a) One of the conditions of the reprobation required respondent to contact and meet with the
10 Office of Probation, as follows:

11 “Within thirty (30) days from the effective date of discipline, Respondent must contact
12 the Office of Probation and schedule a meeting with Respondent’s assigned probation
13 deputy to discuss these terms and conditions of probation. Upon the direction of the
14 Office of Probation, Respondent must meet with the probation deputy either in-person or
15 by telephone. During the period of probation, Respondent must meet with the probation
16 deputy as directed and upon request.”

17 (b) Respondent violated this condition because she did not contact the Office of
18 Probation and schedule the meeting by January 26, 2007. Respondent contacted the Office of
19 Probation on February 14, 2007 and scheduled the required meeting.

20 **8. Quarterly Reporting Condition.**

21 (a) One of the conditions of the reprobation required respondent to submit quarterly reports
22 as follows:

23 “Respondent must submit written quarterly reports to the Office of Probation on each
24 January 10, April 10, July 10, and October 10 of the condition period attached to the
25 reprobation. Under penalty of perjury, Respondent must state whether Respondent has
26 complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of
27 the reprobation during the preceding calendar quarter. Respondent must also state in each
28 report whether there are any proceedings pending against him or her in the State Bar
Court and, if so, the case number and current status of that proceeding. If the first report
would cover less than 30 (thirty) days, that report must be submitted on the next quarter
date, and cover the extended period.

“In addition to all quarterly reports, a final report, containing the same information, is
due no earlier than twenty (20) days before the last day of the condition period and no
later than the last day of the condition period.”

1 (b) Respondent violated this condition because she did not submit the quarterly reports
2 due on April 10, 2007, July 10, 2007 and October 10, 2007, or the final report due on December
3 27, 2007. To date, respondent has not submitted the quarterly reports due on April 10, 2007,
4 July 10, 2007, October 10, 2007 and December 27, 2007.

5 **9. Send Itemized Bill and Refund to Complaining Witness.**

6 (a) One of the conditions of the reproof required respondent to send an itemized bill and
7 refund to the complaining witness (William Vazzana) as follows:

8 "Respondent is to send to Mr. William Vazzana an itemized bill and refund if she
9 determines that he is entitled to a refund... Respondent is to send the itemized bill and
10 refund (if there is one) within 30 days from the date that the State Bar Court approves
11 this stipulation."

12 (b) Respondent violated this condition by failing to send Mr. Vazzana an itemized bill
13 and any outstanding refund by December 30, 2006. Respondent failed to provide Mr. Vazzana
14 an itemized bill and refund in the amount of \$355 until on or about April 13, 2007.

15 **10. Notify Office of Probation regarding Fee Arbitration**

16 (a) One of the conditions of the reproof required respondent to inform the complaining
17 witness of his right to object to her itemized bill and offer fee arbitration as follows:

18 "Respondent is to inform Mr. Vazzana that he is entitled to object to her itemized bill and
19 if Mr. Vazzana objects to the respondent's accounting, respondent shall offer arbitration
20 of the fee dispute to Mr. Vazzana... (1) Respondent must offer in writing, to Mr.
21 Vazzana, via certified mail, to take the matter to fee arbitration and must agree to binding
22 arbitration..."

23 (b) Other conditions of the reproof required respondent to notify the Office of Probation
24 if Mr. Vazanna desired to go to arbitration and of her compliance with resolving any fee disputes
25 through binding arbitration as follows:

26 "Respondent will notify the State Bar Probation Unit if Mr. Vazzan desires to go to
27 arbitration... Respondent shall provide to the State Bar Probation unit the following: (1)
28 the date upon which the respondent notified Mr. Vazzana by certified mail to take the
matter to binding fee arbitration, which should take place no later than 90 days from the
date of the approval of this stipulation. (2) the date of the actual arbitration proceeding.
Respondent shall notify the Probation Unit of this date within 10 days of the setting. (3)
Respondent shall provide the Probation Unit with the arbitration decision within ten days
of the decision being rendered.. (4) Respondent shall pay any award that is granted by
the Fee Arbitration to Mr. Vazanna. (5) Respondent shall provide proof of payment of
the arbitration award..."

1 (c) Respondent violated these conditions because she did not provide the required
2 notification to the Probation Unit. To date, respondent has not notified the Probation Unit of her
3 compliance with resolving the fee dispute with Mr. Vazzana.

4 **11. Ethics School.**

5 (a) One of the conditions of reprobation stated as follows:

6 "Within one (1) year of the effective date of the discipline herein, Respondent must
7 provide to the Office of Probation satisfactory proof of attendance of the Ethics School
and passage of the test given at the end of that session."

8 (b) Respondent violated this condition because she did not attend Ethics School and pass
9 the test prior to the one- year period or any time thereafter.

10 **12. MPRE.**

11 (a) One of the conditions of the reprobation stated as follows:

12 "Respondent must provide proof of passage of the Multistate Professional Responsibility
13 Examination ("MPRE"), administered by the National Conference of Bar Examiners, to
the Office of Probation within one year of the effective date of the reprobation."

14 (b) Respondent violated this condition because she did not provide proof of passage of
15 the MPRE prior to the one-year period or at any time thereafter.

16 By failing to comply with the above-mentioned probation conditions, respondent failed
17 to comply with conditions attached to a private reprobation administered by the State Bar pursuant
18 to Business and Professions Code sections 6077 and 6078 and former rule 956 (now 9.19),
19 California Rules of Court.

20
21 **NOTICE - INACTIVE ENROLLMENT!**

22 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
23 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
24 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
25 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
26 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
RECOMMENDED BY THE COURT. SEE RULE 101(c), RULES OF
PROCEDURE OF THE STATE BAR OF CALIFORNIA.

27 **NOTICE - COST ASSESSMENT!**

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IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10. SEE RULE 280, RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

Dated: April 17, 2008

By: 
TREVA R. STEWART
Deputy Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 08-H-10858

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.:7160-3901-9845-1536-2031 , at San Francisco, on the date shown below, addressed to:

**Joy R. Buzzard
380 N. Main St., #L
Lakeport, CA 95453**

Courtesy Copy to:

**Joy R. Buzzard
1418 Wild Oak Ct.
Lakeport, CA 94543**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: April 17, 2008

SIGNED: 
Matthew Patterson
Declarant